

APPEAL NO. 040055  
FILED FEBRUARY 25, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on November 18, 2003. The hearing officer determined that the appellant (claimant) did not sustain a compensable repetitive trauma injury, with a date of injury of \_\_\_\_\_, and that the claimant did not have disability from May 15, 2003, continuing through the date of the CCH. The claimant appealed the hearing officer's determinations based on sufficiency of the evidence grounds. The appeal file does not contain a response from the respondent (carrier).

DECISION

Affirmed.

The claimant alleged that he sustained a compensable repetitive trauma injury in the form of carpal tunnel syndrome on \_\_\_\_\_, as a result of the repetitive job duties he performed in the course and scope of his employment with the employer. The amount and type of keyboarding required by the job was in dispute. The claimant stated that he continued to work for about one week after the date of injury, then he began to experience pain to both his wrists and decided to seek medical care. A medical report dated May 14, 2003, reflects that the treating doctor, Dr. T diagnosed the claimant with a cervical sprain, bilateral carpal tunnel syndrome, and inflammation of the hands and wrists. The claimant presented medical evidence to support his claim that he sustained a compensable repetitive trauma injury, and that he has had disability as a result. The carrier presented evidence and testimony from the claimant's supervisor to support its position that the claimant's job duties were not repetitive or traumatic, and that the claimant did not have disability.

The questions of whether the claimant sustained a compensable injury and whether he had disability presented questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the fact finder, the hearing officer was charged with the responsibility of resolving the conflicts and inconsistencies in the evidence and deciding what facts the evidence has established. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was acting within her province as the fact finder in resolving the conflicts and inconsistencies in the evidence against the claimant. Nothing in our review of the record reveals that the challenged determinations are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). Accordingly, no sound basis exists for us to disturb those determinations on appeal.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **OLD REPUBLIC INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**PRENTICE-HALL CORPORATION SYSTEM, INC.  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Edward Vilano  
Appeals Judge